

By: Nelson

S.B. No. 71

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of a statewide telehealth center for sexual assault forensic medical examination.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 420, Government Code, is amended by adding Subchapter E to read as follows:

SUBCHAPTER E. STATEWIDE TELEHEALTH CENTER FOR SEXUAL ASSAULT

FORENSIC MEDICAL EXAMINATION

Sec. 420.101. DEFINITIONS. In this subchapter:

(1) "Center" means the statewide telehealth center for sexual assault forensic medical examination.

(2) "Telehealth service" has the meaning assigned by Section 111.001, Occupations Code.

Sec. 420.102. ESTABLISHMENT OF CENTER. The attorney general shall establish the statewide telehealth center for sexual assault forensic medical examination to expand access to sexual assault nurse examiners for underserved populations.

Sec. 420.103. POWERS OF CENTER. (a) In accordance with other law, the center may facilitate in person or through telecommunications or information technology the provision by a sexual assault nurse examiner of:

(1) training or technical assistance to a sexual assault examiner on:

(A) conducting a forensic medical examination on

1 a survivor; and

2 (B) the use of telehealth services; and

3 (2) consultation services, guidance, or technical  
4 assistance to a sexual assault examiner during a forensic medical  
5 examination on a survivor.

6 (b) With permission from the facility or entity where a  
7 forensic medical examination on a survivor is conducted and to the  
8 extent authorized by other law, the center may facilitate the use of  
9 telehealth services during a forensic medical examination on a  
10 survivor.

11 (c) The center may deliver other services as requested by  
12 the attorney general to carry out the purposes of this subchapter.

13 Sec. 420.104. OPERATION PROTOCOLS REQUIRED. The center and  
14 the attorney general shall develop operation protocols to address  
15 compliance with applicable laws and rules governing:

16 (1) telehealth services;

17 (2) standards of professional conduct for licensure  
18 and practice;

19 (3) standards of care;

20 (4) maintenance of records;

21 (5) technology requirements;

22 (6) data privacy and security of patient information;

23 and

24 (7) the operation of a telehealth center.

25 Sec. 420.105. AUTHORIZED CONTRACTS. The attorney general  
26 may enter into any contract the attorney general considers  
27 necessary to implement this subchapter, including a contract to:

1           (1) develop, implement, maintain, or operate the  
2 center;

3           (2) train or provide technical assistance for health  
4 care professionals on conducting forensic medical examinations and  
5 the use of telehealth services; or

6           (3) provide consultation, guidance, or technical  
7 assistance for health care professionals using telehealth services  
8 during a forensic medical examination.

9           Sec. 420.106. FUNDING. (a) The legislature may  
10 appropriate money to the attorney general to establish the center.

11           (b) The attorney general may provide funds to the center  
12 for:

13           (1) establishing and maintaining the operations of the  
14 center;

15           (2) training conducted by or through the center;

16           (3) travel expenses incurred by a sexual assault nurse  
17 examiner for:

18                   (A) carrying out the nurse's duties under Section  
19 420.103(a); or

20                   (B) testifying as a witness outside the nurse's  
21 county of residence;

22           (4) equipment and software applications for the  
23 center; and

24           (5) any other purpose considered appropriate by the  
25 attorney general.

26           Sec. 420.107. CONSULTATION REQUIRED. In implementing this  
27 subchapter, the attorney general shall consult with persons with

1 expertise in medicine and forensic medical examinations, a  
2 statewide sexual assault coalition, and attorneys with expertise in  
3 prosecuting sexual assault offenses.

4 Sec. 420.108. RULES. The attorney general may adopt rules  
5 as necessary to implement this subchapter.

6 SECTION 2. This Act takes effect September 1, 2019.